IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.54098-M of 2006

DATE OF DECISION: OCTOBER 10, 2006

Mohan Singh and others

...PETITIONERS

VERSUS

The State of Punjab

....RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. S.P.S. Sidhu, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

...

The petitioners apprehending their arrest in a non-bailable offence in case FIR No.96 dated 30.6.2006 registered under Sections 324/323/326/148/149 IPC at Police Station Mamdot, District Ferozepur, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

Counsel for the respondent-State states that in this case the police has already deleted the offence under Section 326 IPC and filed the challan under Sections 323/324 IPC. Even the complainant has not filed any application for framing the charge under Section 326 IPC. Keeping in view these factors, in my opinion, the apprehension of the petitioner for arrest under Section 326 IPC is totally misplaced.

Dismissed.

October 10, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE